

FILED

August 3, 2007

**NEW JERSEY STATE BOARD
OF MEDICAL EXAMINERS**

EFFECTIVE

June 1, 2007

**NEW JERSEY STATE BOARD
OF MEDICAL EXAMINERS**

IN THE MATTER OF THE SUSPENSION
OR REVOCATION OF THE LICENSE OF:

MATTHEW R. PONZIO, M.D.
LICENSE NO. MA02335300

TO PRACTICE MEDICINE AND
SURGERY IN THE STATE OF
NEW JERSEY

STATE OF NEW JERSEY
DEPARTMENT OF LAW & PUBLIC SAFETY
DIVISION OF CONSUMER AFFAIRS
BOARD OF MEDICAL EXAMINERS

Administrative Action

ORDER

This matter was most recently opened to the New Jersey State Board of Medical Examiners (the "Board") based upon a request of the respondent Matthew R. Ponzio, M.D., seeking an extension of time to complete the terms of the January 12, 2006 Consent Order to permit Dr. Ponzio to complete an Education Plan of the Center for Personalized Education for Physicians ("CPEP"). The Attorney General filed a cross-motion for an order implementing the active suspension provided by the January 2006 Order.

Dr. Ponzio's counsel represented that respondent had refrained from practice as of June 1, 2007 under the terms of the Consent Order, and set forth details of his attempts to comply with the Consent Order. The Attorney General submitted documents asserting that Dr. Ponzio had failed to complete the required educational

CERTIFIED TRUE COPY

experience in a timely manner and had little likelihood of successfully completing it in the future, had failed to successfully complete a required medical ethics course on two occasions, and had not made full payment of penalties and costs as agreed to in the Consent Order.

The Board following review of the documentation submitted noted numerous failures to complete requirements in the Consent Order, including but not limited to:

1. Dr. Ponzio has failed to satisfactorily complete the CPEP Education plan.

Although the Consent Order required completion by June 1, 2007¹, progress reports of March 2007 and June 2007 updates indicate inadequate progress in improving clinical judgment and medical judgment and disorganized medical recordkeeping. The overall summary and recommendation includes concern that application of new knowledge is not being appropriately applied to patient care; and concludes by stating that "CPEP" remains concerned about [his] ability to complete the Education Plan

¹Dr. Ponzio raised in support of his application for extension of time, the issue of a claimed delay in approval of preceptors by CPEP. However, it appears that several of the candidates proposed by him did not meet the qualifications plainly communicated to him regarding Board certification and thus he substantially contributed to any delay. Additionally, although there was a transition period for the Associate Medical Director of CPEP, he did not respond to CPEP's assertion that he was provided with alternate support and clinical oversight. This does not appear to have materially affected Dr. Ponzio's progress.

Objectives."

2. Dr. Ponzio has not satisfactorily completed an ethics course as required by the January 2006 Consent Order.

Although Dr. Ponzio took ethics courses on two occasions, the latest report of his participation in the PROBE program from April 27 - 29, 2007 indicates:

"Our overall assessment of Dr. Ponzio's capacities for ethical reasoning and insight as demonstrated over the course of the ProBE Program is negative." [Emphasis supplied]

3. Dr. Ponzio has failed to complete payments of costs and penalties required under the January 2006 Consent Order.

Although he made an initial payment of \$12,500 in January 2006, he has failed to complete payment of over \$73,000.

As Dr. Ponzio failed to comply with the prerequisites set forth in the January 2006 Consent Order for practice, we will implement the active suspension as provided by that Order. Dr. Ponzio also failed to complete required payments under the Consent Order and therefore a violation of the Consent Order has occurred which provides an independent basis for disciplinary action.

Based on the record before it, the Board voted to deny Dr. Ponzio's motion for an extension of time to complete the remedial education plan and granted the Attorney General's cross motion to activate the period of suspension as provided in the Order of January 12, 2006.

IT IS THEREFORE ON THIS

8th

DAY OF AUGUST 2007

ORDERED:


1. That effective Nunc Pro Tunc June 1, 2007, the suspension of the license of Dr. Ponzio to practice medicine and surgery in the State of New Jersey as provided by the terms of paragraph 3 of the Consent Order of January 12, 2006 previously filed in this matter, is activated. Respondent shall receive credit on the five (5) year suspension for the period of stayed suspension beginning January 1, 2006. The terms of the January 2006 Consent Order remain in full force and effect.

2. Respondent Matthew Ponzio shall immediately surrender his original license and biennial renewal card to the office of the Board of Medical Examiners, 140 East Front Street, P.O. Box 183, Trenton, New Jersey 08625-0183.

3. No application for reinstatement of license shall be considered until Dr. Ponzio has fully complied with the Consent Order of January 2006 and demonstrates his fitness and competency to practice medicine.

NEW JERSEY STATE BOARD OF MEDICAL EXAMINERS

By:


Karen Criss, R.N., C.N.M.,
Vice President